

Robert H. Bunzel, State Bar No. 99395  
 Charles G. Miller, State Bar No. 39272  
 BARTKO, ZANKEL, BUNZEL & MILLER  
 A Professional Law Corporation  
 One Embarcadero Center, Suite 800  
 San Francisco, California 94111  
 Telephone: (415) 956-1900  
 Facsimile: (415) 956-1152

Attorneys for Plaintiffs  
 JOSEPH SAVERI LAW FIRM, INC.  
 and JOSEPH R. SAVERI

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

JOSEPH SAVERI LAW FIRM, INC., a  
 California corporation, and JOSEPH R.  
 SAVERI,

Plaintiffs,

v.

MICHAEL E. CRIDEN, P.A. dba CRIDEN &  
 LOVE, P.A., a Florida corporation,

Defendant.

Case No. 3:14-cv-1740 EDL

**STIPULATION AND [PROPOSED]  
 ORDER REGARDING SCHEDULE FOR  
 MOTION TO DISMISS AND  
 PRELIMINARY INJUNCTION**

Complaint Filed: April 15, 2014

BARTKO ZANKEL BUNZEL  
 MILLER

One Embarcadero Center, Suite 800  
 San Francisco, CA 94111

Phone (415) 956-1900 • Fax (415) 956-1152

1 WHEREAS, on April 15, 2013, plaintiffs Joseph Saveri Law Firm Inc. and  
 2 Joseph R. Saveri ("Saveri") filed the Complaint in this action (Dkt. 1) against Michael E. Criden,  
 3 P.A. dba Criden & Love, P.A. ("Criden"), which was personally served on April 17, 2014  
 4 (Dkt. 12);

5 WHEREAS, on April 16, 2014, Saveri filed a Motion for Preliminary Injunction  
 6 (Dkt. 6) to enjoin Criden from pursuing arbitration proceeding No. 32-194 Y 00123-14 before the  
 7 American Arbitration Association ("AAA Proceeding") in Miami, Florida, which motion was also  
 8 personally served on April 17, 2014 (Dkt. 12);

9 WHEREAS, Criden's response to the Complaint is due May 8, 2014, and Criden's  
 10 response to the Motion for Preliminary Injunction is due May 5, 2014;

11 WHEREAS, Criden anticipates filing a motion to dismiss for lack of personal  
 12 jurisdiction under FRCP Rule 12(b)(2) and improper venue under Rule 12(b)(3), and a motion  
 13 under 28 U.S.C. § 1404(a) for change of venue to the Southern District of Florida, which motions  
 14 will not seek to determine arbitrability of the AAA Proceeding;

15 WHEREAS, the parties agree that, at the least, Criden's motion to dismiss for lack  
 16 of personal jurisdiction should be heard and determined first, and that any decision on arbitrability  
 17 should be determined thereafter if Criden's motion to dismiss for lack of personal jurisdiction is  
 18 denied;

19 WHEREAS, the parties stipulate to presently instruct AAA to stay the AAA  
 20 Proceeding until Criden's motions are determined, and if the motions are denied, to stay the AAA  
 21 Proceeding until the Court issues a decision on arbitrability;

22 WHEREAS, the parties shall provide the AAA a copy of this Stipulation and Order;

23 WHEREAS, because the parties' instruction to AAA and provision of this  
 24 Stipulation and Order to AAA gives Saveri all of the relief sought by the Preliminary Injunction  
 25 Motion, that motion is rendered moot; and

26 WHEREAS, Saveri may object to any venue motion being decided prior to the  
 27 Court deciding the issue of arbitrability.  
 28

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among the respective parties hereto that the following dates are calendared in this action:

Event	Currently Scheduled Date	New Date
Criden's response to complaint (FRCP Rule 12(b) and 28 U.S.C § 1404(a)) motions due	May 8, 2014	May 12, 2014
Saveri's opposition to FRCP Rule 12(b) and 28 U.S.C § 1404(a) motions due		May 30, 2014
Criden's reply to opposition to FRCP Rule 12(b) and 28 U.S.C § 1404(a) motion due		June 11, 2014
Hearing on Criden's FRCP Rule 12(b) and 28 U.S.C § 1404(a) motion		July 1, 2014
Case Management Conference		To be determined
Hearing on Saveri's Motion for Preliminary Injunction		Off calendar
All deadlines related to briefing on Saveri's Motion for Preliminary Injunction		Off calendar

SO STIPULATED.

DATED: April 25, 2014

SULLWOLD & HUGHES

By: /s/ Robert T. Sullwold  
 Robert T. Sullwold  
 Attorneys for Defendant  
 MICHAEL E. CRIDEN, P.A. dba  
 CRIDEN & LOVE, P.A.

1 DATED: April 25, 2014

BARTKO, ZANKEL, BUNZEL & MILLER  
A Professional Law Corporation

4 By: /s/ Robert H. Bunzel  
Robert H. Bunzel  
Attorneys for Plaintiffs  
JOSEPH SAVERI LAW FIRM, INC. and  
JOSEPH R. SAVERI

7 **FILER'S ATTESTATION**

8 I, Robert H. Bunzel, hereby attest that concurrence in the filing of this document  
9 has been obtained from the other signatory and that I received authorization to affix his electronic  
10 signature.

11 DATED: April 25, 2014

/s/ Robert H. Bunzel  
Robert H. Bunzel

14 IT IS SO ORDERED.

15 DATED: \_\_\_\_\_

18 \_\_\_\_\_  
ELIZABETH D. LAPORTE  
UNITED STATES MAGISTRATE JUDGE

BARTKO ZANKEL BUNZEL  
MILLER

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